

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TEMPLE UNIVERSITY	:	
HOSPITAL, INC.	:	CIVIL ACTION
	:	
v.	:	
	:	No. 16-2645
RUSSELL REIMBURSEMENT	:	
ADVISORS, INC., et al.	:	

ORDER

AND NOW, this 15th day of March 2017, upon consideration of the parties' submissions,¹ it is hereby ORDERED as follows:

(1) The Motion (ECF 38) filed by Defendant National Railroad Passenger Corp., also known as Amtrak, under Federal Rule of Civil Procedure 12(b)(6) to Dismiss the Second Amended Complaint is GRANTED.

(2) The Motion (ECF 37) jointly filed by Defendants Russell Reimbursement Advisors, Inc. ("RRA") and MCMC, L.L.C. ("MCMC") under Federal Rule of Civil Procedure 12(b)(6) to Dismiss the Second Amended Complaint is GRANTED.

(3) Under Rule 12(b)(6), the Second Amended Complaint (ECF 35) filed by Plaintiff Temple University Hospital, Inc. is DISMISSED, with prejudice.

(4) Decision is reserved on the Motion (ECF 38) filed by Defendant Amtrak under Federal Rule of Civil Procedure 12(c) for Judgment on the Third-Party Complaint (ECF 20).

(5) By Monday, April 3, 2017, Defendants Amtrak, RRA, and MCMC are directed to file concise briefs as to their respective positions in regard to decision on the Rule 12(c) Motion filed by Defendant Amtrak.

BY THE COURT:

/s/ Legrome D. Davis
Legrome D. Davis, J.

¹ Pl. TUH Second Am. Compl. (ECF 35); Def. Amtrak Mot. to Dismiss & Br. with Exs. A–H (ECF 38, 38-1, 38-2 through 38-4); Defs. RRA and MCMC joint Mot. to Dismiss & Br. with Ex. 1 (ECF 37, 37-2); Pl. TUH Resps. (ECF 40, 41). Third-Party Def. Amtrak Mot. for Judgment on the Third-Party Compl. & Br. (ECF 38, 38-1 at 13-14); Defs. RRA and MCMC joint Resp. (ECF 39); Defs. RRA and MCMC Third-Party Compl. (ECF 20); Def. Amtrak Answer to Third-Party Compl. (ECF 25).